

MARGIE L. RICE
Mayor

TRI TA
Mayor Pro Tem

FRANK G. FRY
Council Member

ANDY QUACH
Council Member

TYLER DIEP
Council Member



AGENDA

CITY COUNCIL/REDEVELOPMENT AGENCY REGULAR MEETING

March 25, 2009

6:00 p.m. – Council Conference Room

7:00 p.m. – Council Chambers

**8200 WESTMINSTER BOULEVARD
WESTMINSTER, CALIFORNIA 92683**

If you need special assistance to participate in this meeting, please contact the City Clerk's office at (714) 898-3311. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 American Disabilities Act Title II)

AGENDA INFORMATION

MEETINGS

Regular Meetings of the City Council/Redevelopment Agency are held the second and fourth Wednesday of each month at the hour of 6:00 p.m. (5:00 p.m. if deemed necessary) for Closed Session matters, if required. **The public session of the meeting shall commence at 7:00 p.m.** or as soon thereafter as possible.

While in the City Council Chamber, please *turn off* all cellular phones and pagers.

AGENDA INFORMATION

The agenda contains a brief general description of each item to be considered. Agendas are available at the entryway of the Council Chambers. Supporting documentation to each agenda item is available in the entryway for public review and is available on the City's web site at: <http://www.ci.westminster.ca.us>.

ATTENDANCE AND PARTICIPATION BY THE PUBLIC

Except as specifically provided by law for closed sessions, all meetings of the City Council/Redevelopment Agency shall be open and public. Every agenda for regular meetings of the City Council/Redevelopment Agency provides the public an opportunity to directly address the City Council/Agency Board on items of interest to the public that are within the subject matter jurisdiction of the City Council or on any agenda items. NO action may be taken on items not listed on the agenda unless authorized by law. Unless otherwise extended by the City Council/Agency Board, the amount of time for each individual speaker shall not exceed five (5) minutes.

AGENDA ON THE INTERNET

The Agenda is available at <http://www.ci.westminster.ca.us>. The agenda can be accessed on the internet on the Friday before the meeting on Wednesday.

TELEVISED MEETING SCHEDULE

Regular City Council/Agency meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Monday and Friday at 11:00 a.m.; Tuesday, Wednesday and Thursday at 7:00 p.m.; Wednesday at 12 noon; and Saturday and Sunday at 6:00 p.m.

PUBLIC USE OF COUNCIL CHAMBER EQUIPMENT

All computer presentations must be e-mailed or provided on a CD-ROM to the City Clerk at least 48 hours prior to the meeting. Items to be displayed on the overhead projector must be submitted to the City Clerk for review prior to use of the equipment.

AGENDA

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6:00 P.M.
CLOSED SESSION

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY PRIOR TO ANY ITEM TO BE CONSIDERED IN CLOSED SESSION.

CALL TO ORDER:

ROLL CALL: RICE, TA, FRY, QUACH, DIEP

PRESENT:

ABSENT:

CLOSED SESSION:

The City Council/Redevelopment Agency will recess to a Closed Session for the following purposes:

- 1) Pursuant to Government Code Section 54957: Public Employee Appointment: City Manager; and
- 2) Conference with Labor Negotiator pursuant to Government Code Section 54967.6; Designated Representative: City Manager Ray Silver; Employee Organizations: Westminster Police Officers' Association (WPOA) and Westminster Municipal Employees' Association (WMEA).

RECESS:

NOTE: Any writings or documents provided to a majority of the City Council/Agency Board regarding any item on this agenda is available for public inspection at the public counter at City Hall located at 8200 Westminster Boulevard, Westminster, CA during normal business hours, except such documents that relate to closed session items or which are otherwise exempt from disclosure under applicable law. These writings are also available for review in the public access binder located in the entryway to the Council Chambers.

AGENDA

March 25, 2009

7:00 P.M.

The City Council/Redevelopment Agency of the City of Westminster will regularly convene in joint session for the purpose of considering the following City Council/Redevelopment Agency Agenda items. The Westminster Public Financing Authority is also an agency on which Council serves as members. This Agency may also have items scheduled.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

ROLL CALL: RICE, TA, FRY, QUACH, DIEP

PRESENT:

ABSENT:

SALUTE TO FLAG: Council Member Fry

INVOCATION:

REPORT OUT OF CLOSED SESSION:

The City Attorney shall determine if any actions taken by the City Council/Redevelopment Agency in Closed Session shall require a reporting on those actions as required by law (Government Code 54957.1(a) (3) (B)).

REPORT FROM CITY CLERK ON LATE COMMUNICATION ITEMS

1. ORAL COMMUNICATIONS

THIS IS THE TIME OF THE MEETING THAT MEMBERS OF THE PUBLIC MAY ADDRESS THE CITY COUNCIL/REDEVELOPMENT AGENCY REGARDING ANY ITEMS ON THE AGENDA OR NON-AGENDA ITEMS THAT ARE WITHIN THE SUBJECT MATTER JURISDICTION, EXCEPT PUBLIC HEARING ITEMS. MEMBERS OF THE PUBLIC WISHING TO ADDRESS PUBLIC HEARING ITEMS SHALL DO SO AT THE TIME OF THE PUBLIC HEARING. UNLESS OTHERWISE EXTENDED BY A MAJORITY VOTE OF THE CITY COUNCIL/AGENCY BOARD, COMMENTS SHALL BE LIMITED TO FIVE (5) MINUTES PER SPEAKER.

ANY PERSON WISHING TO ADDRESS THE CITY COUNCIL/AGENCY BOARD SHOULD COMPLETE A GREEN SPEAKER SLIP THAT IS PROVIDED AT THE ENTRANCE TO THE COUNCIL CHAMBERS AND SUBMIT THE CARD TO THE CITY CLERK/SECRETARY. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME AND CITY OF RESIDENCE FOR THE RECORD.

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SPECIAL PRESENTATIONS:

- A. Presentation regarding the 4th Annual American Cancer Society's Relay for Life to be held on August 8-9, 2009.

2. CONSENT CALENDAR

ALL MATTERS LISTED UNDER THE CONSENT CALENDAR ARE CONSIDERED ROUTINE AND MAY BE APPROVED BY A SINGLE MOTION FOLLOWED BY A ROLL CALL VOTE. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS MEMBERS OF THE CITY COUNCIL/REDEVELOPMENT AGENCY BOARD OR STAFF REQUEST THAT SPECIFIC ITEMS BE REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE ACTION OR DISCUSSION.

ROUTINE MATTERS

2.1 Proclamation declaring April, 2009 as DMV/Donate Life California Month in the City of Westminster.

RECOMMENDATION: Approve.

2.2 General Plan Annual Progress Report. (Art Bashmakian)

RECOMMENDATION: Staff recommends the Mayor and City Council receive and file the report, and direct staff to submit the report to the Governor's Office of Planning and Research (CPR) and the State Department of Housing and Community Development (HCD).

2.3 Increase Brass Pipeline Materials Purchase Order No. 5338 for FY 2008-2009 to Cover Higher Brass Costs. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve an increase of \$15,000 to Purchase Order No. 5338 to Yo Fire Supplies Company for the purchase of brass pipeline materials.

2.4 Increase Miscellaneous Pipeline Materials Purchase Order No. 5342 for FY 2008-2009 to Cover Higher Materials Costs. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve an increase of \$10,000 to Purchase Order No. 5342 to Yo Fire Supplies Company for the purchase of miscellaneous pipeline materials.

2.5 Acceptance of Final Parcel Map No. 2005-120, for "condominium purposes" for 7601 23rd Street. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council accept Final Parcel Map No. 2005-120, and authorize the City Clerk to sign, seal and record the map with the County Recorder's Office.

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2. CONSENT CALENDAR (Continued)

2.6 Authorization for a change order to the Westminster Intelligent Transportation System (ITS) Phase 2 Project. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a change order in the amount of \$127,100.78 to Iteris, Inc. for additional ITS design services and up to date equipment technology upgrade.

2.7 AB-939 Integrated Waste Management Goal Attainment Annual Report – CY2007. (Marwan Youssef)

Staff recommends that the Mayor and City Council receive and file the report.

2.8 Agreement with the City of Stanton for Construction, Operation, and Maintenance of a Sanitary Sewer Line along Garden Grove Boulevard from Hoover Street to Fern Street. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the subject agreement and authorize the City Manager to execute the agreement on behalf of the City.

2.9 Increase Purchase Order for FY 2008-09 for Architectural Design at Sigler Park Splash Pad to Cover Final Billing. (Greg Johnson)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve an increase of \$5,022.00 to Purchase Order No. 5526 to David Volz Design, Inc for payment of the second half of Phase VI Construction and Phase VII Post Construction at Sigler Park Splash Pad.

2.10 Contract for Structural Steel for the Westminster Police Facility Project. (Andy Hall)

RECOMMENDATION: Staff recommends that the Mayor and City Council direct Griffin Structures, Inc. (Project Manager) and its Construction Manager (McCarthy Building Companies, Inc.), to approve the award of a fully executed contract, to the low qualified and responsible bidder by trade, Beck Steel, in the amount of \$2,006,000.00, in accordance with Section 3.7 of the March 2, 2009 Council approved Program Management Agreement for the Westminster Police Facility Project.

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2. CONSENT CALENDAR (Continued)

ADMINISTRATIVE ITEMS

- 2.11 Special Event Permit application from the King Hung Oversea Foundation to hold a Festival and Musical Show at the Civic Center Sunken Gardens and a Ceremony at Sid Goldstein Freedom Park. The event will take place on Sunday, April 5, 2009. Event set up will take place on Saturday, April 4th beginning at 2:00 p.m. The Festival will take place on Sunday from 10:00 a.m. until 10:00 p.m. (includes clean up time) at the Civic Center Sunken Gardens and Sid Goldstein Freedom Park. Applicant will conduct a procession on the public sidewalk from the Civic Center to Sid Goldstein Freedom Park. Applicant estimates the attendance will be 1000 people throughout the event. (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the Special Event Permit application subject to the conditions attached to the staff report.

- 2.12 Special Event Permit application from Circus Vargas to hold a circus beginning April 14, 2009 through April 28, 2009 (includes set up and clean up days). The Circus will be open to the public April 16, 2009 through April 27, 2009. The Circus will take place at the Westminster Mall parking lot between Macy's and JC Penney's. Applicant estimates the attendance will be 500 people per performance. (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the Special Event Permit application subject to the conditions attached to the staff report.

- 2.13 Special Event Permit application from the Vietnamese American Community of Southern California (VACSC) to hold a Black April Commemoration Ceremony on Saturday, April 25, 2009 between the hours of 4:00 p.m. and 9:00 p.m. (includes set up and clean up times). The event will take place at Sid Goldstein Freedom Park, 14180 All American Way. Applicant estimates the attendance will be 500 people. (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the Special Event Permit application subject to the conditions attached to the staff report.

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2. CONSENT CALENDAR (Continued)

- 2.14 Special Event Permit application from Blessed Sacrament Church to hold their annual procession honoring the Blessed Mother on Sunday, May 3, 2009 between the hours of 1:00 p.m. until 3:00 p.m. The event will take place on Olive Street, from Hazard Avenue to Blessed Sacrament Church, near Westminster Boulevard. Applicant estimates the attendance will be 250 people. (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council: 1) waive the \$100 Special Event Permit fee and; 2) approve the Special Event Permit application subject to the conditions attached to the staff report.

- 2.15 Special Event Permit application from Blessed Sacrament Church to hold its Annual Festival on May 15, 2009 from 5:00 p.m. until 11:00 p.m., May 16, 2009 from 12:00 noon until 11:00 p.m., and May 17, 2009 from 12:00 noon until 10:00 p.m. The church is located at 14072 Olive Street, Westminster. Applicant estimates the attendance will be 3,000-5,000 participants. The applicant has requested that a special bingo permit in conjunction with their annual Parish Festival be granted, so that bingo can be played during the Festival on Saturday, May 16th and Sunday, May 17th from 2:00 p.m. until 8:00 p.m. (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council: 1) waive the \$100 Special Event Permit fee and; 2) approve the Special Event Permit application subject to the conditions attached to the staff report.

- 2.16 Fee Waiver Request from the Vietnamese American Pharmacy Student Association to conduct an Immunization Drive and Health Fair in the East/West, Craft, A/B, Room 3/4, and Senior Dining Room of the Community Services Building for one day in October, 2009 from 9:00 a.m. to 5:00 p.m. (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the fee waiver request as outlined in the fee waiver policy for use of City facilities by Community Groups/Non-Profit Organizations.

WARRANT REGISTER

- 2.17 (City Council/Redevelopment Agency) Warrant Register dated March 4, 2009 through March 17, 2009. (Paul Espinoza)**

RECOMMENDATION: Approve.

INFORMATION AND REPORTS

- 2.18 Minutes of the Youth Committee meeting held on January 14, 2009. (Greg Johnson)**

RECOMMENDATION: Receive and file.

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2. CONSENT CALENDAR (Continued)

2.19 Minutes of the Commission on Aging Meeting held on Monday January 12, 2009. (Greg Johnson)

RECOMMENDATION: Receive and file.

2.20 Minutes of the Planning Commission meeting held February 18, 2009. (Doug McIsaac)

RECOMMENDATION: Receive and file.

2.21 Community Development Monthly Activity Report – February 2009. (Doug McIsaac)

RECOMMENDATION: Receive and file.

END OF CONSENT CALENDAR

3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

3.1 The actions of the Planning Commission meeting held on March 18, 2009.

RECOMMENDATION: That the City Council determine if they wish to call up any items for review from the Planning Commission meeting of March 18, 2009.

- 1) Case 2009-05 Zone Change, Tentative Parcel Map, Site Plan, Design Review to develop two attached affordable residential dwelling units at 13931 Cedar Street. Staff recommended that the Planning Commission recommend that the City Council approve Case No. 2009-05.

Planning Commission Action: That Council approve the project 3-0 (Tran and Ho absent). The matter is scheduled for Council's consideration on April 1, 2009.

- 2) Case 2009-12 Initiation of a Zoning Text Amendment; Citywide. Staff recommended that the Planning Commission initiate a zoning text amendment to amend the parking requirements for small restaurants.

Planning Commission Action: Initiated the ZTA 4-0 (Tran absent)

- 3) Case 2009-14 Initiation of a Zoning Text Amendment; Citywide. Staff recommended that the Planning Commission initiate a zoning text amendment to allow limited entertainment by right.

Planning Commission Action: Initiated the ZTA 4-0 (Tran absent).

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3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW (Continued)

- 4) Request by applicant to allow a skirted pole sign at 7185-7195 Westminster Boulevard. Staff recommended that the Planning Commission deny the request.

Planning Commission Action: Approved the applicant's request to construct a 12 foot high skirted pole sign 3-0 (Tran and Ho absent).

4. PUBLIC HEARINGS

ANYONE WISHING TO SPEAK ON AN OPEN PUBLIC HEARING IS REQUESTED TO COMPLETE A GREEN SPEAKER SLIP THAT IS PROVIDED AT THE ENTRANCE TO THE COUNCIL CHAMBERS. PLEASE SUBMIT THE SPEAKER SLIP TO THE CITY CLERK/SECRETARY. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.

AFTER THE PUBLIC HEARING IS OPENED, PERSONS SPEAKING IN FAVOR WILL BE HEARD FIRST, FOLLOWED BY THOSE PERSONS SPEAKING IN OPPOSITION; AND THEN PERSONS SPEAKING IN REBUTTAL. ONLY THOSE PERSONS WHO HAVE SPOKEN IN FAVOR WILL BE PERMITTED TO SPEAK IN REBUTTAL. SPOKESPERSON(S) DESIGNATED TO SPEAK IN FAVOR OR IN OPPOSITION WILL HAVE TWELVE (12) MINUTES TO SPEAK. THEREAFTER, EACH PERSON SPEAKING IN FAVOR OR IN OPPOSITION WILL HAVE THREE (3) MINUTES. THE TOTAL TIME FOR SPEAKING IN FAVOR OR IN OPPOSITION SHALL NOT EXCEED 30 MINUTES. THOSE PERSONS SPEAKING IN REBUTTAL WILL HAVE THREE MINUTES EACH, OR A TOTAL OF 20 MINUTES. THE CITY COUNCIL MAY USE ITS DISCRETION TO ALLOW A SPEAKER TO EXCEED THE TIME LIMITS.

NOTE: IF A CHALLENGE IS MADE BY ANY PARTY IN COURT FROM ACTIONS ARISING OUT OF A PUBLIC HEARING, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE OR IN WRITTEN CORRESPONDENCE DELIVERED AT THE PUBLIC HEARING OR PRIOR THERETO.

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- 4.1(a) REVIEW OF CASE NO. 2008-84 (GPA, ZC, SP, DR): AN APPLICATION FOR A GENERAL PLAN AMENDMENT (GPA), ZONE CHANGE (ZC), SITE PLAN (SP), AND DESIGN REVIEW (DR) TO CONSTRUCT 36 AFFORDABLE APARTMENT UNITS, WHICH WOULD INCLUDE TWO PLAN TYPES: A THREE-BEDROOM AND TWO-BATH FLOOR PLAN (19 UNITS TOTAL); AND A FOUR-BEDROOM AND TWO-BATHROOM FLOOR PLAN (17 UNITS TOTAL). THE PROPOSED SITE DEVELOPMENT INVOLVES REDEVELOPMENT OF THE PROJECT SITE, REPLACING THE EXISTING OFFICE BUILDING WITH A MULTIPLE-FAMILY RESIDENTIAL APARTMENT BUILDING. THE PROPOSED DEVELOPMENT WOULD HAVE A MAXIMUM HEIGHT OF 48 FEET, 6 INCHES; APPLICANT: AMCAL ROYALE FUND, L. P. LOCATION: 280 HOSPITAL CIRCLE. (Art Bashmakian)**

Staff Report

Mayor/Chair and City Council/Agency Board Discussion

Open Public Hearing

 Speaking in Favor

 Speaking in Opposition

 Speaking in Rebuttal (*only those who spoke in favor can speak in rebuttal*)

Close Public Hearing

Mayor/Chair and Council/Agency Member Comments

Council/Agency Action

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Adopt Resolution No. 4220 entitled: "A Resolution of the Mayor and City Council of the City of Westminster Adopting a Mitigated Negative Declaration Pertaining to Case No. 2008-84, Adopting a General Plan Amendment from Commercial-Low Intensity to Residential High Density (15 to 25 Units Per Acre), Approving a Site Plan and Design Review with a 35-percent Density Bonus to Construct 36 Affordable Apartment Units Located at 280 Hospital Circle (APN 096-251-17)"; and
- 2) Introduce Ordinance No. 2441 entitled: "An Ordinance of the Mayor and City Council of the City of Westminster Amending the Official City of Westminster Zoning Map Implementing a Change of Zone (Case No. 2008-84) from CR Restricted Commercial District to R5 Multiple Units (Nineteen to Twenty-Four Units Per Acre) District for the property located at 280 Hospital Circle (APN 096-251-17)", and waive further reading.

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4. PUBLIC HEARINGS (Continued)

4.1(b) JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE WESTMINSTER REDEVELOPMENT AGENCY TO CONSIDER THE ADOPTION OF RESOLUTIONS APPROVING THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH AMCAL ROYALE FUND, L.P., AND CONVEYANCE OF CERTAIN REAL PROPERTY LOCATED AT 280 HOSPITAL CIRCLE TO AMCAL ROYALE FUND, L.P. FOR AFFORDABLE HOUSING PROJECT.

(Kathy Johnston)

RECOMMENDATION: Staff recommends that the **Mayor and City Council** adopt Resolution No. 4217, entitled: "A Resolution of the Mayor and City Council of the City of Westminster Approving the Conveyance of Certain Real Property (Assessor's Parcel No. 096-251-017) from the Westminster Redevelopment Agency to AMCAL Royale Fund, L.P., Pursuant to that Certain Disposition and Development Agreement by and between the Westminster Redevelopment Agency and Amcal Royale Fund, L.P., and Making Certain Findings Required by Law".

RECOMMENDATION: Staff recommends that the **Chair and Agency Board:**

- 1) Adopt Resolution No. 204, entitled: "A Resolution of the Westminster Redevelopment Agency Approving that Certain Disposition and Development Agreement By and Between the Westminster Redevelopment Agency and AMCAL Royale Fund, L.P., the Conveyance of Certain Real Property (Assessor's Parcel No. 096-251-017) from the Westminster Redevelopment Agency to Amcal Royale Fund, L.P., and Making Certain Findings Required by Law";
- 2) Approve the allocation and provision of \$1,244,000 of Redevelopment Low Mod Housing Funds from the Capital Improvement Project Account No. 18602-034011 to AMCAL Royale Fund, L.P. to assist in the construction of the project; and
- 3) Authorize the Executive Director to execute the Disposition and Development Agreement with AMCAL Royale Fund, L.P. and all documents necessary to implement the Disposition and Development Agreement for the development of an affordable workforce housing project.

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

5.2 AB 1234 Reports

5.3 Consider renaming Hoover Park to Frank G. Fry Park. (Mayor Rice)

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6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

- 6.1 Consideration of (1) Agency's "Affordable Rental Housing Agreement" and Notice of Affordability Restriction documents; (2) City's "Agreement with Community Housing Development Organization (CHDO) for HOME-funded Rental Housing" for nine properties; (3) Advancement of Property Tax Costs and Reimbursement of Lease Purchase Program Property Administration Costs to Abrazar, Inc. and American Family Housing, Inc. (Kathy Johnston)**

RECOMMENDATION: Staff recommends that the **Chair and Agency Board:**

- 1) Authorize a transfer of \$163,724.91 from CIP Low Mod Housing Assistance project to fund the following:
 - a. Advancement of property tax costs for six properties in an amount not to exceed \$49,200 over the course of two years to Abrazar, Inc.; and
 - b. Reimbursement of \$59,312 to Abrazar, Inc. for property administration costs from the period of September, 2006 to July/August 2008 under the previously approved Lease Purchase Program;
 - c. Reimbursement of \$12,586 to Abrazar, Inc. for rehabilitation costs over the limit of \$40,000 per unit previously approved;
 - d. Advancement of property tax costs for three properties in an amount not to exceed \$23,551.16 over the course of two years to American Family Housing, Inc.; and
 - e. Reimbursement of \$19,075.75 to American Family Housing for property administration costs from the period of August, 2008 thru January, 2009 under the previously approved Lease Purchase Program; and
- 2) Approve and authorize the Executive Director to execute nine (9) agreements entitled, "Affordable Rental Housing Agreements" with Abrazar, Inc. and American Family Housing, Inc. and nine (9) Affordability Restriction Documents for the following addresses: 1) 6869 Homer Street, #62; 2) 6889 Homer Street, #50; 3) 6954 Homer Street, #79 4) 6908 Homer Street, #99; 5) 6921 Homer Street, #27; 6) 6902 Homer Street, #94; 7) 6908 Homer Street, #100; 8) 6921 Homer Street, #25; 9) 14161 Goldenwest Street, #7; and

Staff further recommends that the **Mayor and City Council:**

- 1) Approve and authorize the City Manager to execute nine (9) agreements entitled "Agreement with CHDO for HOME-funded Rental Housing" with Abrazar, Inc. and American Family Housing, Inc. for the following addresses: 1) 6869 Homer Street, #62; 2) 6889 Homer Street, #50; 3) 6954 Homer Street, #79; 4) 6908 Homer Street, #99; 5) 6921 Homer Street, #27; 6) 6902 Homer Street, #94; 7) 6908 Homer Street, #100; 8) 6921 Homer Street, # 25; and 9) 14161 Goldenwest Street, #7.

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6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR (Continued)

6.2 Introduction of Updated Municipal Code Relating to the City Manager position in a General Law City. (Ray Silver)

RECOMMENDATION: Staff recommends that the Mayor and City Council introduce Ordinance No. 2442 entitled, "An Ordinance of the Mayor and City Council of the City of Westminster to Amend Chapter 2.08 (City Manager) of Title 2 (Administration and Personnel) of the Westminster Municipal Code", and waive further reading; and

6.3 Agreement for City Manager Services. (Ray Silver)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the Agreement for City Manager Services with Donald D. Lamm, and authorize the Mayor to execute the Agreement on behalf of the City.

6.4 (City/Agency) Selection of dates for the fiscal year 2009-10 budget study sessions. (Paul Espinoza)

RECOMMENDATION: Staff recommends that the Mayor/Chair and City Council/Agency Board select Monday, May 4, 2009 and Tuesday, May 12, 2009 as the dates for a study session to review the fiscal year 2009-10 budget. Suggested alternative dates for the study session are Wednesday, May 6, 2009 and Tuesday, May 26, 2009.

6.5 (City/Agency) Mid-year Amendments to the Fiscal Year 2008-09 Budget. (Paul Espinoza)

RECOMMENDATION: Staff recommends that the Mayor/Chair and City Council/Agency Board approve amendments to the fiscal year 2009-10 Budget as outlined on Pages 7-11 of the staff report.

6.6 Agreement to Toll Statute of Limitations for Claims Regarding Property Tax Administration Fee. (Paul Espinoza)

RECOMMENDATION: Staff is requesting that the City Council consider entering into a Tolling Agreement with the County of Orange regarding the property tax administration fees dispute.

7. WRITTEN COMMUNICATIONS (Public) – None.

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8. LEGISLATIVE ITEMS

- 8.1 Resolution No. 4218 – A Resolution of the Mayor and City Council of the City of Westminster adopting the intention to approve an amendment to the contract with the California Public Employees' Retirement System; first reading of Ordinance No. 2443 – An Ordinance of the Mayor and City Council of the City of Westminster authorizing an amendment to the contract with the California Public Employees' Retirement System; and request to provide similar retirement benefits to certain Public Safety employees via Public Agency Retirement Services.** (Eddie Manfro)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Adopt Resolution No. 4218 entitled, "A Resolution of Intention to Approve an Amendment to Contract between the Board of Administration, California Public Employees' Retirement System and the City Council, City of Westminster."
- 2) Introduce Ordinance No. 2443 entitled, "An Ordinance of the Mayor and City Council of the City of Westminster Authorizing an Amendment to the Contract between the City Council of the City of Westminster and the Board of Administration of the California Public Employees' Retirement System", and waive further reading.
- 3) Staff recommends that the Mayor and City Council authorize staff to work with Public Agency Retirement Services (PARS) to provide similar retirement benefits to certain Public Safety employees.

9. COMMISSION AND COMMITTEE ITEMS

- 9.1 Request to install All Way Stop Signs at the Intersection of Jackson Street and 23rd Street – T.C. 88-116.** (Marwan Youssef)

TRAFFIC COMMISSION RECOMMENDATION: Staff recommends that the Mayor and City Council approve the recommendation of the Traffic Commission to install an allway stop at the subject location and adopt Resolution No. 4219 entitled, "A Resolution of the Mayor and City Council of Westminster providing for the installation of all-way stop signs at the intersection of Jackson Street and 23rd Street".

- 10. COUNCIL/AGENCY ADJOURNMENT:** To Wednesday, April 1, 2009 at 6:00 p.m. in the Council Chambers, 8200 Westminster Boulevard, Westminster, California for the purpose of a Joint Meeting of the City Council and Planning Commission, followed by a City Council/Redevelopment Agency meeting at 7:00 p.m. to discuss City/Agency business.

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the City Council/Redevelopment Agency meeting.

Marian Contreras

Marian Contreras, City Clerk/Agency Secretary